1 Greg L. Lippetz (State Bar No. 154228) Michael A. Lavine (Pro Hac Vice) glippetz@JonesDay.com mlavine@jonesday.com 2 JONES DAY JONES DAY 1755 Embarcadero Road 555 California Street, 26th Floor 3 Palo Alto, CA 94303 San Francisco, CA 94104 Telephone: +1.650.739.3939 Telephone: +1.415.626.3939 4 Facsimile: +1.650.739.3900 Facsimile: +1.415.875.5700 David B. Cochran (Pro Hac Vice) 5 dcochran@JonesDay.com 6 John C. Evans (*Pro Hac Vice*) jcevans@JonesDay.com JONES DAY North Point, 901 Lakeside Avenue Cleveland, OH 44114 8 Telephone: +1.216.586.3939 9 +1.216.579.0212 Facsimile: Attorneys for Defendant 10 BLACKMAGIC DESIGN PTY LTD. 11 12 IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA OAKLAND DIVISION 13 14 TECHNOLOGY LICENSING Case No. C 13-05184 SBA CORPORATION, 15 Plaintiff, **DECLARATION OF MICHAEL A.** 16 LAVINE IN SUPPORT OF STIPULATED REQUEST FOR ORDER v. 17 CHANGING TIME TO COMPLETE BLACKMAGIC DESIGN PTY LTD., EXPERT DEPOSITIONS 18 Defendant. 19 20 I, MICHAEL A. LAVINE, declare as follows: 21 1. I am an attorney with the law firm of Jones Day, counsel of record for Defendant 22 Blackmagic Design Pty LTD. ("BMD") in the above-entitled action. I make this 23 declaration in support of the parties' stipulated request for an order changing time to 24 complete the expert depositions. I make this declaration based on my personal 25 knowledge and, if called as a witness, could and would competently testify thereto. 26 27 DECLARATION OF MICHAEL A. LAVINE IN SUPPORT OF STIPULATED REQUEST FOR ORDER CHANGING TIME TO COMPLETE EXPERT DEPOSITIONS 28 TLC V. BLACKMAGIC - CASE NO. C 13-05184 SBA

- 2. Per the Court's recent Order (Dkt. No. 145), the parties served opening expert reports on May 17, 2017 and rebuttal expert reports on May 31, 2017. BMD moved for summary judgment of non-infringement on June 7, 2017. (Dkt. 151.)
- 3. The close of expert discovery is currently set for June 14, 2017.
- 4. Due to the short amount of time between the service of the parties' expert reports and the current close of expert discovery, and to accommodate the schedules of TLC's expert witnesses, the parties believe that a short extension of the expert discovery deadline is warranted for the limited purpose of completing the parties' expert depositions.
- 5. Previous time modifications in the case schedule were made pursuant to the following stipulations and Court orders: Dkts. 13, 61, 63, 85, 90, 106, 108, 113, 143, and 145.
- 6. The parties anticipate that the proposed extension will have no effect on the subsequent deadlines in the case schedule.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 15th day of June, 2017, at San Francisco, California

/s/ Michael A. Lavine

Michael A. Lavine